



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Aging and Long-Term Support Administration

**Subject of possible rule making:**

The department is considering adding new sections and amending the following sections in Chapter 388-76 WAC, Adult Family Homes: WAC 388-76-10000 Definitions; WAC 388-76-10037 License requirements – Multiple adult family homes – Additional homes; WAC 388-76-10125 License – May be denied; WAC 388-76-10130 Qualifications – Provider, entity representative and resident manager; WAC 388-76-10146 Qualifications – Training and home care aide certification; WAC 388-76-10174 Background check – Disclosure of information – Sharing of background information by health care facilities; WAC 388-76-10315 Resident record – Required; WAC 388-76-10525 Resident rights – Description; WAC 388-76-10535 Resident rights – Notice of change to services; WAC 388-76-10595 Resident rights – Advocacy access and visitation rights; WAC 388-76-10615 Resident rights – Transfer and discharge; WAC 388-76-10925 Disclosure of inspection and complaint investigation reports; WAC 388-76-10935 Washington protection and advocacy – Long-term care ombudsman – Official duties – Penalty for interference; WAC 388-76-10960 remedies – Department may impose remedies; WAC 388-76-10975 Remedies – Specific – Civil penalties; WAC 388-76-10980 Remedies – Specific – Stop placement – Admissions prohibited; and other related rules as appropriate.

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 70.128 RCW

**Reasons why rules on this subject may be needed and what they might accomplish:**

The department is amending these rules to comply with and be consistent with newly passed state laws: Substitute House Bill 1629 Home Care Aides--Credentialing and Continuing Education, Engrossed House Bill 1677 Adult Family Homes--Multiple Facility Operators, Substitute House Bill 1686 K-12 Schools--High School Equivalency Certificates, Substitute Senate Bill 5077 Statutes--Gender-Neutral Terms, Senate Bill 5510 Vulnerable Adults--Abuse, and Substitute Senate Bill 5630 Vulnerable Adults--Adult Family Homes. In addition, the department is amending rules to comply with Substitute House Bill 2056-Assisted Living Facilities, passed (Chapter 10, Laws of 2012) in the 2012 legislative session, which changed the terminology 'boarding home' to "assisted living facility."

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Washington State Department of Health

**Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Anyone interested should contact the staff person identified below.

Contact: Sandy Robertson, Adult Family Home Policy Program Manager

Residential Care Services

P.O. Box 45600

Olympia, WA 98504-5600

Phone: 360-725-3204 Fax: 360-438-7903

E-mail: [robersk@dshs.wa.gov](mailto:robersk@dshs.wa.gov)

Draft section language will be posted on ALISA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

**DATE**

July 17, 2013

**NAME (TYPE OR PRINT)**

Katherine Vasquez

**SIGNATURE**

**TITLE**

DSHS Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: July 22, 2013**

**TIME: 12:01 PM**

**WSR 13-15-110**